

TCDD Summary of DADS Exceptional Items Request 84th Legislative Session

Below are the decisions adopted by the 84th Texas Legislature in House Bill (HB) 1 above the base budget for the Department of Aging and Disability Services (DADS).

Exceptional Items

1. Restore Baseline Funding

DADS requested \$21.1 million in General Revenue (GR)¹ and \$44.9 million in All Funds (AF)². The base budget maintained Targeted Case Management (TCM), provided by local intellectual and developmental disability authorities (LIDDA), at Fiscal Year (FY) 2014 and FY 2015 funding levels, however, the caseload for FY 2016-17 is expected to increase significantly as a result of implementation of both the Community First Choice (CFC) program and the current Preadmission Screening and Resident Review (PASRR) process. This request also would have funded Data Center Consolidation and the 2% salary increase approved by the 83rd Texas Legislature for FY 2015.

- Adopted \$14.9 million to address targeted case management
- Adopted \$2.27 million for Data Center Consolidation
- Adopted 2% salary increase as a technical correction with no cost to the bill

2. Cost Trends

Client-related increases in costs and acuity will require a need for about \$22.4 million in GR over the next biennium. These funds are for DADS entitlement programs (Primary Home Care, Community Attendant Services and Nursing Facilities); the agency has little discretion in paying for these services. Costs have increased by 1% to 2% in some programs.

Adopted \$23.7 million.

3. Interest List Reduction

This comprehensive request would have funded medical and community-based DADS waiver services for an additional 15,780 people. Services were projected to cost about \$305.9 million in GR. This amount would fully fund the STAR+PLUS waiver and Deaf-Blind Multiple Disability (DBMD) interest lists, fund services for 20% of those waiting for Home and Community-based Services (HCS), Medically Dependent Children Program (MDCP), Texas Home Living (TxHmL), Community Living Assistance and Support Services (CLASS), and Title XX services, and would reduce interest lists for In Home and Family Support (IHFS) and LIDDA Community services by 10% from FY 2014-15 levels. Adopted \$51 million to reduce interest lists.

¹ General Revenue Funds are state funds. The general revenue fund receives money from the sales tax, the motor vehicle sales and rental taxes, the franchise tax, insurance premium taxes, and various other taxes and fees.

² All Funds are the combination of state general revenue funds, federal funds and other revenue.

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Waiver	DADS Request 20% Reduction	HB 1
HCS	6,792	2,134
CLASS	4,151	752
DBMD	21	50
MDCP	1,282	104
TxHmL	1,040	-
STAR+Plus	1,646	1,235

4. Promoting Independence

The Promoting Independence Initiative makes community waiver services available to people who are otherwise entitled to institutional services. DADS requested \$32 million in GR for waiver services for 1,362 people to move to the least restrictive setting to meet their needs. **Adopted \$29.7 million of the \$32 million request.**

Promoting Independence Groups	# of people requested	HB 1
HCS for people Moving from large and medium Intermediate Care Facilities (ICFs) – including State Supported Living Centers (SSLCs)	500	500
Children Aging out of Foster Care	216	216
Persons at Imminent Risk of Entering an ICF	400	400
Individuals with Intellectual and Developmental Disabilities (IDD) Moving from State Hospitals	120	120
Children Transitioning from a general residence operations (GRO) facility (DFPS)	25	25
STAR+Plus for people at Imminent Risk of Nursing Facility Admission	100	-

Should address the full request as sufficient funds were allocated to Health and Human Services Commission (HHSC) to address the need for STAR+Plus for people at imminent risk of nursing facility admission.

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5. *Enhanced Community Services for Persons w/IDD and Complex Needs*

DADS requested \$36.9 million in GR to support people with complex needs.

- Behavior Intervention and Crisis Respite Services (\$27.5M GR) - **Adopted \$18.3 million**
- An add-on rate of \$75.76 per day will be piloted to assist ICF and HCS providers to serve people with complex medical support needs [FY '16 150 ICF; FY '17 175 ICF, 175 HCS] (\$5.9M) - **Adopted**
- Enhanced transition services for people leaving SSLCs (\$3.5M) - **Adopted**

6. *PASRR Compliance*

To bring Texas into compliance with federal PASRR requirements for persons with IDD entering or seeking admission to a Nursing Facility, DADS requested \$40.4 million in GR for the FY 2016-17 biennium. Half of this request would be used to provide community services and is offset by the lower number of persons expected to be in Nursing Facilities.

Adopted \$43.8 million

7. *Protecting Vulnerable Texans*

DADS is requesting funds, about \$21.2 million in GR and \$41.8 million in AF, to improve the safety of people receiving DADS services.

- Expand guardianship program services (\$1.7M GR/AF) - **Adopted**
- Additional contracted assisted living facility ombudsmen (\$1.9M GR/AF) - **Adopted**
- Expand the Lifespan Respite Care Program (\$2M GR/AF) – **NOT Funded**
- Raise the HCS dental cap from \$1,000 to \$2,000 per person per year (\$8.3M GR, \$19.2M AF) - **\$2.9 million, or an increase to about \$1,750 per person.**
- Assist HCS group homes to install sprinkler systems (\$5.9MGR, \$13.8MAF) - **\$3 million to reimburse providers of 4-bed group homes up to 50% of the cost of sprinklers to meet new life safety requirements.**
- Regulatory oversight of home health providers (\$1.4M GR, \$3M AF) - **Adopted**

8. *Maintenance/Improving SSLC Operations*

DADS requested \$8.2 million in GR and \$109 million in AF, including \$94 million in bond proceeds, to make life/safety repairs and renovations at the 13 SSLCs. This included funds for the 10-year vehicle replacement plan and a reclassification of Qualified Intellectual Disabilities Professionals (QIDP) position in order to raise their salaries. It also would have expanded an outcomes-based Quality Improvement Program for the 3,310 people living in SSLCs as they transition into an integrated community setting. **\$9.6 million for capital improvements only.**

9. *Specialized Resource Navigation for Veterans*

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DADS is requesting \$2.2 million in GR and AF to support a Veterans Resource Navigation Specialist at each of Texas' 22 Aging and Disability Resource Centers to streamline access to programs and benefits. **NOT Adopted**

Additional Items

Attendant Wages

Attendant wages are addressed in the HHSC budget. HHSC requested \$121.6 million to raise community attendant wages by 5%.

Adopted \$38.1 million

- ❖ **\$7.5 million - attendant care rate enhancement (ACRE)**
- ❖ **Would raise the floor to \$8/hour**

Enhanced Managed Care Ombudsman

Contingency funding for Senate Bill (SB)1475 that would require an ombuds system for all persons receiving services under any managed care in order to reduce the need for internal appeals at the managed care company and fair hearing levels. **SB 1475 Failed to Pass; Not funded**

Enhanced Services for Persons with IDD

The Community First Choice program does not include transportation and respite, services that are included in habilitation, the equivalent service in the waivers typically used by people with developmental disabilities. This item allows HHSC rate setting to build transportation and respite into the CFC rate. **Adopted \$12.3 million**

Children with Special Health Care Needs (CSHCN)

The Children with Special Health Care Needs waiting list is addressed in the Department of State Health Services budget. The Department of State Health Services (DSHS) requested \$11 million GR to provide services to more than 500 children eligible and waiting for services. **Adopted \$5 million for services for 186 people**

Provider Rates

Contingent on a system of accountability that requires providers to expend 90% of the rate increase on services:

- **\$6.8 million for HCS provider rate increase, and**
- **\$5.2 million for a 2.2% community ICF provider rate increase**